

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

HORACE GIBSON,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 1:09CV89 RWS
)	
3M COMPANY,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the Court on the motion to withdraw filed by John G. Simon. Mr. Simon's motion states that he entered an appearance in this case to request a continuance of the Rule 16 conference to have an opportunity to investigate this case. Plaintiff's motion to continue the scheduling conference [#10] is consistent with this representation. Now, having had the opportunity to investigate the case, plaintiff's counsel seeks leave to withdraw. Plaintiff's counsel informs the Court that plaintiff has been advised of this motion, but he does not indicate whether plaintiff consents to the motion.

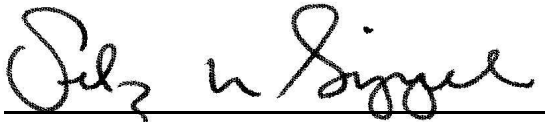
Accordingly,

IT IS HEREBY ORDERED that John G. Simon shall serve a copy of

this Order on plaintiff and plaintiff Horace Gibson (either acting on his own behalf or by sending his response to John G. Simon) shall file a written response to Mr. Simon's motion indicating whether he consents or objects to the motion, and if he objects, the basis for such objection, by no later than November 13, 2009. If plaintiff does not file a written response by the November 13, 2009 deadline, it will be granted without objection.

IT IS FURTHER ORDERED that plaintiff's counsel shall file an affidavit by November 13, 2009, informing the Court that he complied with this Order in full, including filing on plaintiff's behalf any response to this Order.

IT IS FURTHER ORDERED that the Clerk of the Court shall add plaintiff Horace Gibson, 1036 Caulfield Drive, Cape Girardeau, Missouri 63701 to the docket sheet.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 2nd day of November, 2009.